

Local Government & Social Care OMBUDSMAN

22 July 2020

By email

Mr Wright
Head of Paid Service
Shropshire Council

Dear Mr Wright

Annual Review letter 2020

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

Complaint statistics

This year, we continue to place our focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have made several changes over recent years to improve the data we capture and report. We focus our statistics on these three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to resolving complaints. We recognise cases where an authority has taken steps to put things

right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

This data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

During the year we issued one public report about your Council, involving failure to consult with Sport England (SE) before granting planning permission for a dwelling next to a cricket ground. We found the Council was required to consult with SE for applications of this type, and that SE would have recommended conditions be attached to the planning permission. Instead, the development was completed without such conditions, meaning the local cricket club was forced to hire an alternative venue to play its home matches, to avoid the risk of injury or property damage. We considered this was an injustice to the club. I am sorry to say we found the Council's responses to be unhelpful and obstructive in this case, repeatedly questioning our jurisdiction to investigate the complaint. However, the Council did agree to my main recommendation, which was to fund the construction of a suitable fence, to allow the club to return home, and to pay some of its ancillary costs, which is positive.

Last year, I highlighted the Council's delay in implementing agreed recommendations. Unfortunately, this concern has continued over the last 12 months where we have recorded three cases where remedies were not completed within the agreed timescales. You should be aware that the actions you agree to take, and your performance in implementing them, are reported publicly on our website, so are likely to generate increased public and media scrutiny in future.

My investigators have also noted concern about your Council's failure to follow statutory complaint procedures and taking too long to respond to our enquiries. 22 out of 24 cases were responded to late and we had to threaten to use a witness summons in one case. We do not take such action lightly and will usually only consider a witness summons where a council has not provided a response after a considerable time and despite our continued efforts. These delays cause further frustration to complainants. I would ask the Council to reflect on this and consider how to prevent avoidable delay in future.

Resources to help you get it right

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the tool with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

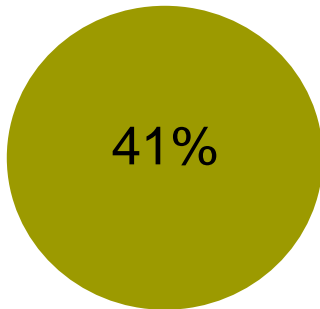
We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we delivered last year and included more training to adult social care providers than ever before. To find out more visit www.lgo.org.uk/training.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



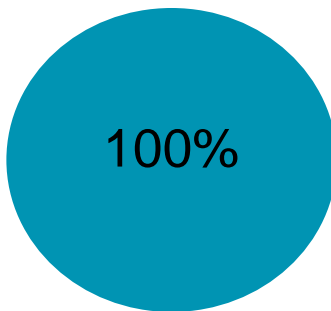
41% of complaints we investigated were upheld.

This compares to an average of **56%** in similar authorities.

11
upheld decisions

Statistics are based on a total of 27 detailed investigations for the period between 1 April 2019 to 31 March 2020

Compliance with Ombudsman recommendations



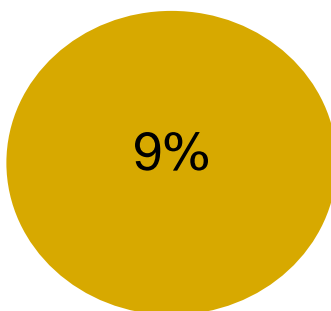
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **99%** in similar authorities.

Statistics are based on a total of 12 compliance outcomes for the period between 1 April 2019 to 31 March 2020

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority



In **9%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **11%** in similar authorities.

1
satisfactory remedy decision

Statistics are based on a total of 27 detailed investigations for the period between 1 April 2019 to 31 March 2020